

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

DANIEL W. NAGEL : Bankruptcy Case No. 21-10109 TPA
 : Chapter 13
 Debtor :

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated March 16, 2021, except as modified herein as checked below, is **CONFIRMED** in accord with 11 USC 1325. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which *Status Conference* is scheduled for N/A *remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com*, (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

- ☐ 1. For the remainder of the Plan term, the periodic Plan payment is to be \$ _____ as of _____. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ 2. The length of the Plan is increased to a total of ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ 3. _____ shall be paid monthly payments of \$ _____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ 4. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
 Claimant: _____ Claim #: _____
 Claimant: _____ Claim #: _____
 Claimant: _____ Claim #: _____
- X 5. Additional Terms:
 (a) PNC (Cln 3) governs with payment to be determined by the trustee to pay in full.
 (b) PNC (Cln. 4) governs as to amount to be paid at the modified terms of the plan.
- ☐ 6. The Confirmation Order dated _____, Doc. ____ is **VACATED**.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. **Objections to the Plan:** This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)(3)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this Confirmed Plan. The Trustee may only disburse funds pursuant to this Confirmation Order upon expiration of the foregoing twenty-eight (28) day period.

2. **Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. **Review of Claims Docket and Objections to Claims.** Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely..

4. **Motions or Complaints Pursuant to §§506, 507, or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. **Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims, the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

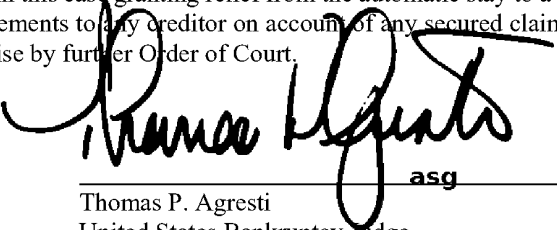
4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

7. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

8. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.



asg
Thomas P. Agresti
United States Bankruptcy Judge

Dated:
April 30, 2021

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Daniel W. Nagel
Patricia E. Nagel
Debtors

Case No. 21-10109-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: nsha

Page 1 of 3

Date Rcvd: Apr 30, 2021

Form ID: pdf900

Total Noticed: 39

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 02, 2021:

Recip ID	Recipient Name and Address
db/jdb	Daniel W. Nagel, Patricia E. Nagel, 76 Willadell Road, Transfer, PA 16154-2730
15345825	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank Of America, Po Box 982238, El Paso, TX 79998
15345833	+ Credit First NA, Po Box 81315, Cleveland, OH 44181-0315
15345838	+ FNB Consumer Discount Company, 41-A Hadley Road, PO Box 152, Greenville, PA 16125-0152
15345837	+ First National Bank of PA, 4140 E State Street, Hermitage, PA 16148-3401
15359760	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
15345843	+ Mariner Finance, 8211 Town Center Dr, Nottingham, MD 21236-5904
15371056	+ PennyMac Loan Services, LLC., P.O. Box 2410, Moorpark, CA 93020-2410
15345845	+ Pennymac Loan Services, Po Box 514387, Los Angeles, CA 90051-4387
15345853	+ Wells Fargo, Po Box 14517, Des Moines, IA 50306-3517
15350276	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
15345854	+ Wells Fargo Home Mortgage, Po Box 10335, Des Moines, IA 50306-0335

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	May 01 2021 03:17:04	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15345826	+ Email/PDF: Citi.BNC.Correspondence@citi.com	May 01 2021 03:19:00	Best Buy/CBNA, Po Box 6497, Sioux Falls, SD 57117-6497
15345828	Email/Text: Bankruptcy.RI@Citizensbank.com	May 01 2021 03:42:00	Citizens Bank Na, 480 Jefferson Blvd, Warwick, RI 02886
15364255	Email/PDF: AIS.cocard.ebn@americaninfosource.com	May 01 2021 03:20:45	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15345827	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	May 01 2021 03:18:53	Capital One Bank Usa N, Po Box 31293, Salt Lake City, UT 84131-0293
15345829	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	May 01 2021 03:43:00	Comenity Bank/Kays, Po Box 182789, Columbus, OH 43218-2789
15345831	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	May 01 2021 03:43:00	Comenity Bank/Victoria's Secret, Po Box 182789, Columbus, OH 43218-2789
15345830	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	May 01 2021 03:43:00	Comenity Bank/pebbles, Po Box 182789, Columbus, OH 43218-2789
15345832	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	May 01 2021 03:43:00	Comenity Capital/Sephora, Po Box 182120,

District/off: 0315-1

User: nsha

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Form ID: pdf900

Total Noticed: 39

		Columbus, OH 43218-2120
15345834	Email/Text: mrdiscen@discover.com	May 01 2021 03:42:00 Discover Financial Services LLC, Po Box 15316, Wilmington, DE 19850
15345835	Email/PDF: Citi.BNC.Correspondence@citi.com	May 01 2021 03:20:52 Dsnb Macys, Po Box 8218, Mason, OH 45040
15349392	Email/Text: mrdiscen@discover.com	May 01 2021 03:42:00 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15345836	+ Email/Text: bankruptcynotice@fcbanking.com	May 01 2021 03:42:00 First Commonwealth Bank, 22 North Sixth Street, Indiana, PA 15701-1802
15345839	+ Email/Text: bankruptcy@huntington.com	May 01 2021 03:43:00 Huntington National Bank, Po Box 1558, Columbus, OH 43216-1558
15345840	Email/PDF: ais.chase.ebn@americaninfosource.com	May 01 2021 03:18:51 Jpmcb Card, Po Box 15369, Wilmington, DE 19850
15345841	+ Email/Text: BKRMailOPS@weltman.com	May 01 2021 03:43:00 Kay Jewelers, 375 Ghent Road, Akron, OH 44333-4600
15345842	+ Email/Text: PBNCNotifications@peritussservices.com	May 01 2021 03:42:00 Kohls/Capital One, Po Box 3115, Milwaukee, WI 53201-3115
15358343	Email/Text: Bankruptcy.Notices@pnc.com	May 01 2021 03:42:00 PNC Bank, National Association, Bankruptcy Department, PO Box 94982, Cleveland, OH 44101
15345846	Email/Text: Bankruptcy.Notices@pnc.com	May 01 2021 03:42:00 Pnc Bank, Po Box 3180, Pittsburgh, PA 15230
15370477	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	May 01 2021 03:17:04 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15346298	+ Email/PDF: gecsed@recoverycorp.com	May 01 2021 03:16:55 Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15345847	+ Email/PDF: gecsed@recoverycorp.com	May 01 2021 03:20:41 Synchrony Bank/Gap, PO Box 965005, Orlando, FL 32896-5005
15345848	+ Email/PDF: gecsed@recoverycorp.com	May 01 2021 03:18:48 Synchrony Bank/JCP, PO Box 965007, Orlando, FL 32896-5007
15345849	+ Email/PDF: gecsed@recoverycorp.com	May 01 2021 03:20:41 Synchrony Bank/Lowes, PO Box 965005, Orlando, FL 32896-5005
15345850	+ Email/PDF: gecsed@recoverycorp.com	May 01 2021 03:20:41 Synchrony Bank/PPC, Po Box 965005, Orlando, FL 32896-5005
15345851	+ Email/PDF: gecsed@recoverycorp.com	May 01 2021 03:18:48 Synchrony Bank/Walmart, PO Box 965024, Orlando, FL 32896-5024
15345852	+ Email/PDF: Citi.BNC.Correspondence@citi.com	May 01 2021 03:17:05 The Home Depot/CBNA, Po Box 6497, Sioux Falls, SD 57117-6497

TOTAL: 27

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PENNYMAC LOAN SERVICES, LLC
15363177	*+	Mariner Finance, LLC, 8211 Town Center Drive, Nottingham, MD 21236-5904
15345844	##+	Northwest Consumer Discount Company, Po Box 1178, Hermitage, PA 16148-0178

TOTAL: 1 Undeliverable, 1 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities

District/off: 0315-1

User: nsha

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Date Rcvd: Apr 30, 2021

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in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 02, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 30, 2021 at the address(es) listed below:

Name	Email Address
Daniel P. Foster	on behalf of Joint Debtor Patricia E. Nagel dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel P. Foster	on behalf of Debtor Daniel W. Nagel dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Maria Miksich	on behalf of Creditor PENNYMAC LOAN SERVICES LLC mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 5